

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Michael Payne Holt, Jr.

Case: 2:21-mj-30256

Assigned To : Unassigned

Date : 5/27/2021

CMP USA V SEALED (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(g)(1)

21 U.S.C. 841(a)(1)

Felon in possession of a firearm.

Manufacture, distribute, dispense, or possess with intent to manufacture, distribute, or dispense a controlled substance.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.

May 27, 2021

Date: _____

City and state: Detroit, Michigan*Avraham Goldstein*

Complainant's signature

Avraham Goldstein, Task Force Officer

Printed name and title



Judge's signature

Curtis Ivy, Jr. United States Magistrate Judge

Printed name and title

Save

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AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Task Force Officer Avraham Goldstein, being sworn, depose and state the following:

INTRODUCTION

1. I am a Police Officer with the Detroit Police Department (DPD) and, since August 2020, have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO). I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations and make arrests of offenses enumerated in Title 18, United States Code, Section 2516.

2. I have received extensive training at the Detroit Police Academy, where I graduated from in January 2017. I have personally investigated and assisted in numerous of cases that resulted in search warrants, arrests, prosecutions, and the seizure of large quantities of narcotics and firearms.

3. During my time in law enforcement, I have participated in numerous criminal investigations, involving firearms crimes, narcotics crimes, homicides, and offenses by criminal street gangs, among others. I have authored numerous affidavits in support of state criminal complaints, search warrants, and arrest warrants. In addition, I have utilized a variety of investigative techniques and resources as a Task

Force Officer, including physical and electronic surveillance, undercover and various types of informants, and cooperating sources. Through these investigations, my training and experience, and conversations with other agents and other law enforcement personnel, I have become familiar, not only with firearms violations, but also with methods used by gang members and drug traffickers to smuggle and safeguard controlled substances, to distribute controlled substances, and to collect, launder, hide, disguise or conceal related proceeds. I am familiar with methods employed by gang members and large narcotics organizations to attempt to thwart any investigation of their criminal activity. These tactics, employed in part to evade law enforcement, include their criminal use of and association with: multiple residences, multiple cellular phones, counter surveillance, smuggling schemes, false or fictitious identities, coded communications and conversations, and the use of firearms to ensure facilitation of the illegal activity.

4. The statements contained in this affidavit are based, in part, on my review of written police reports by the Detroit Police Department and the Macomb County Sherriff's Office. This affidavit also includes information provided to me by and/or through other law enforcement agents, investigators and individuals with knowledge of this matter, my investigation, and the review of documents.

5. This affidavit establishes probable cause to believe that Michael Payne

HOLT Jr. (Date of Birth XX/XX/1976) violated 18 U.S.C. § 922(g)(1), as a felon in possession of a firearm and, Title 21 U.S.C. §841(a)(1), Manufacturing, Distributing, Dispensing or Possessing with Intent to Manufacture, Distribute or Dispense Controlled Substance. This affidavit does not include all the information known to law enforcement related to this investigation.

PROBABLE CAUSE

6. In March 2021, I received information from members of the Detroit Police Department's 3rd Precinct Special Operations Unit of a potential narcotics supplier. Officers identified the supplier as Michael Payne HOLT Jr.

7. In March 2021, Detroit Police Department Officers conducted surveillance in the area of Michigan Ave and 23rd Street, in Detroit, Michigan. That area was a location that officers had reason to believe, and confirmed through surveillance, that HOLT was selling narcotics from.

8. During their surveillance at Michigan Ave. and 23rd Street, Officers observed what appeared to be multiple hand to hand drug transactions between HOLT and other individuals. Subsequent traffic stop investigations of individuals who appeared to have purchased narcotics from HOLT revealed the individuals were in possession of different narcotics packaged for individual street sale.

9. On April 25, 2021, HOLT was arrested by the Macomb County

Sherriff's Office for Malicious Destruction of Property at the residence of his ex-wife. As deputies arrived at the scene HOLT was in his vehicle attempting to leave the residence. Deputies stopped the vehicle and placed HOLT into custody. Deputies searched HOLT's vehicle and located a black Smith & Wesson M&P 40 handgun with serial number NBX8175. There were 2 magazines, one loaded in the firearm, and each containing (12) rounds of .40 caliber ammunition. Deputies also observed a white powdery substance that was field tested for narcotics. The test revealed the white powdery substance was cocaine. Deputies recovered 177 grams of cocaine. Deputies located a brown and gray powdery substance that tested positively for Fentanyl Compound or Methamphetamine. The weight of the brown and grey powdery substance was 130 grams. Deputies recovered (24) Alprazolam 2mg pills, (46) Alprazolam 1mg pills, (24) Acetaminophen and Oxycodone Hydrochloride 325mg / 10mg pills from the vehicle as well.

10. Deputies recovered \$17,594.00 from the vehicle, in the following denominations:

- One Hundred Seventeen (117) \$1 bills totaling \$117;
- One (1) \$2 bill totaling \$2;
- One Hundred Fifty-Nine (159) \$5 bills totaling \$795;
- Sixty Two (62) \$10 bills totaling \$620;

- Six Hundred Sixty Three (663) \$20 bills totaling \$13,260;
- Six (6) \$50 bills totaling \$300; and
- Twenty Five (25) \$100 bills totaling \$2,500

I know from training and experience, of hundreds of narcotic investigations, that the possession of large amounts of currency in various denominations is indicative of the sales of narcotics.

11. In April 2021, I reviewed a Computerized Criminal History (CCH) of HOLT, which revealed HOLT has been convicted of the following felonies:

- 1995 – Weapons-Concealed Carrying, 3rd Circuit Court- Wayne County;
- 1996 – Controlled Substance DEL/MFG, less than 50 grams, 3rd Circuit Court- Wayne County;
- 1997– Controlled Substance – Possess (Cocaine, Heroin or another narcotic) less than 25 grams – Pled Guilty (2 counts), 3rd Circuit Court- Wayne County;
- 2004 – 1) Controlled Substance – Possess (Cocaine, Heroin or another narcotic) less than 50 grams and 2) Controlled Substance Delivery/Manufacture Marijuana/Synthetic Equivalents, 3rd Circuit Court- Wayne County;

- 2010- Controlled Substance – DEL/MFG (Cocaine, Heroin or another Narcotic) Less than 50 grams, 3rd Circuit Court- Wayne County; and
- 2010- 1) Weapons Felony Firearm, 2) Police Officer Assaulting/Resisting/Obstructing, and 3) Controlled Substance – DEL/MFG (Cocaine, Heroin or Another Narcotic) 50-449 grams, 3rd Circuit Court- Wayne County.

12. On April 28 2021, Interstate Nexus Expert S/A Josh McLean advised, based on a verbal description of the firearm, without physically examining the firearm, the aforementioned Smith & Wesson M&P 40 handgun is a firearm as defined under 18 U.S.C. § 921, and that it was manufactured outside the state of Michigan and therefore had traveled through interstate and/or foreign commerce.

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CONCLUSION

13. Based upon the above information, probable cause exists to believe that on April, 25, 2021, Michael Payne HOLT Jr., a multi-convicted felon, was in possession of the above described firearms and narcotics, said firearms having traveled in interstate commerce, in the Eastern District of Michigan, was in violation of Title 18 U.S.C. § 922(g)(1) and Title 21 U.S.C. § 841(a)(1).

Avraham Goldstein

Avraham Goldstein
Task Force Officer, ATF

Sworn to and subscribed to me in my presence
and/or by reliable electronic means this 27th
day of May, 2021



HONORABLE CURTIS IVY, JR.
UNITED STATES MAGISTRATE JUDGE